

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

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DATE

February 10, 2021

MOTOR CARRIER MATTER

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DOCKET NO.

2020-240-E

UTILITIES MATTER

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ORDER NO.

SUBJECT:

DOCKET NO. 2020-240-E - Bernard McFadden, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated, Defendant/Respondent - Staff Presents for Commission Consideration the Motion to Dismiss Filed on Behalf of Dominion Energy South Carolina, Incorporated.

COMMISSION ACTION:

On January 25, 2021, Dominion Energy South Carolina, Incorporated filed a Motion to Dismiss the Complaint of Bernard McFadden for failure to provide file direct testimony and exhibits.

When this matter was set for hearing before the Commission, the Clerk's Office sent a Notice of Rescheduled Hearing and its Prefile Testimony Letter per Commission Order. Mr. McFadden was instructed to file with Commission one (1) copy of his direct testimony and exhibits for any witness that he intends to present at his hearing before the Commission. To date, Mr. McFadden has failed to make a filing of Direct Testimony and Exhibits. He also did not respond to, or comment on, the Motion to Dismiss filed by Dominion asserting that he has failed to prosecute his complaint.

I move that the Commission grant Dominion's Motion to Dismiss without prejudice. This motion will not prohibit Mr. McFadden from timely re-filing his Complaint if he intends to pursue his claim. Based upon the record available from the DMS, it is my understanding that Dominion has offered Mr. McFadden the opportunity to have another meter test with him present. While Mr. McFadden was unable to schedule a time to be present for the test, Dominion maintains in its Motion that the offer for Mr. McFadden to be present at another meter test remains available and that Mr. McFadden need only contact Dominion if he desires to have his meter tested in his presence.

I would so move.

PRESIDING: J. WilliamsSESSION: Regular

TIME:

11:00 a.m.

MOTION YES NO OTHER

BELSER

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Present in Hearing Room

CASTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Skype
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Skype
POWERS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Skype
THOMAS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Skype
C. WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Family Sick Leave
J. WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room

Absent

(SEAL)

RECORDED BY: J. Schmieding

